

IN THE HIGH COURT OF JUDICATURE AT BOBBY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4454 OF 2004

Pyarekhan Noorkhan & Ors. ..Applicants.

V/s.

The State of Maharashtra .. Respondent.

Mrs. Sulbha A. Dhamale for Applicants.
 Shri S.R. Shitole, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 18.10.2004

PC :-

. Heard the learned counsel for the parties.

. A preliminary objection is raised by the learned APP that the Applicants have directly approached this court without exhausting the remedy before the sessions court. There is no special reason to entertain the present application directly by this court. The only cause shown by the applicant is that they apprehend arrest if they enter the city of Nasik for the purpose of preferring anticipatory bail application. This apprehension can be taken care of by providing a limited protection to the applicants for a period of one week, during which period the

applicants may file anticipatory bail application before the concerned sessions court at Nasik. Although the applicants are extended a limited protection that will not preclude the investigating officer from asking the applicants to remain present in the police station for the purpose of interrogation, if so advised. Accordingly this application is disposed of with liberty to the applicants to prefer appropriate application before the sessions court at Nasik. That be done within one week from today. Till such time, the applicants not to be arrested on condition that they will be co-operate with the investigation.

. Order accordingly.

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